

Permit No. _____

Coverage Date: _____

General Permit Issuance Date: May 4, 2005

General Permit Effective Date: June 5, 2005

General Permit Expiration Date: June 5, 2010

General Permit for Biosolids Management

Permit holders that have submitted a Notice of Intent and properly applied for coverage under this permit are *provisionally* approved to manage biosolids in accordance with the requirements of this permit. The department may impose additional or more stringent requirements as a condition of *final* approval of coverage or in conjunction with plans required to be developed and/or approved under this permit.

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1. Introduction

The biosolids program in Washington State is based on Chapter 173-308 WAC, *Biosolids Management*. State standards are based on and intended to at least meet the standards established by U.S. Environmental Protection Agency (U.S. EPA) in 40 CFR Part 503, 40 CFR Part 122, and other applicable federal regulations.

The state program regulates biosolids applied to the land for beneficial uses, biosolids transferred from one facility to another, and biosolids disposed of in a municipal solid waste landfill. The state program does not regulate surface disposal (called “placing on the land” under the federal program), or the actual incineration of biosolids. The state, however, has a strong and statutory preference for beneficial use and an interest therefore in how much biosolids are incinerated. The movement of biosolids within an incineration facility, from the wastewater treatment process to the incineration unit, or from another wastewater treatment facility to an incineration facility is considered a transfer of biosolids subject to the state biosolids permitting system. Treatment works with incinerators are also included in the state biosolids permitting system for those circumstances when alternatives to incineration are needed (e.g. transfer to other treatment works or landfills during periods when an incinerator is shut down for maintenance or repairs), and when incinerators receive biosolids from other facilities. For the purposes of biosolids management, placing of biosolids on the land (land disposal) is subject to federal and local health jurisdiction regulation, and incineration is subject to federal and local clean air agency regulation.

2. Definitions

The following list of definitions covers many of the terms used in this permit. For a complete list of applicable definitions, refer to WAC 173-308-080.

“Accredited laboratory” is a laboratory accredited under the provisions of WAC 173-50 for a specific analyte using a specific analytical method. To be valid for analysis of biosolids, accreditation must be in the “Solids and Chemical Materials” category.

"Agricultural land" is land on which a food crop, feed crop, or fiber crop is grown. This includes range land and land used as pasture.

"Agronomic rate" is the whole biosolids application rate (dry weight basis) that will provide the amount of nitrogen required for optimum growth of vegetation, and that will not result in the violation of applicable standards or requirements for the protection of ground or surface water as established under Chapter 90.48 RCW and related rules including chapters 173-200 and 173-201 WAC.

"Beneficial use facility" means a site or sites where biosolids are applied to the land for beneficial use, which has been permitted as a treatment works treating domestic sewage in accordance with the provisions of WAC 173-308-310, and that has been designated as a beneficial use facility through the permitting process.

"Beneficial use of biosolids" means the application of biosolids to the land for the purposes of improving soil characteristics including tilth, fertility, and stability and enhancing the growth of vegetation consistent with protecting human health and the environment.

"Biosolids" means municipal sewage sludge that is a primarily organic, semisolid product resulting from the wastewater treatment process, that can be beneficially recycled and meets all applicable requirements under this permit. Biosolids includes a material derived from biosolids, and septic tank sludge, also known as septage, that can be beneficially recycled and meets all applicable requirements under this permit. For the purposes of this permit, semisolid products include biosolids or products derived from biosolids ranging in character from mostly liquid to fully dried solids.

"Bulk biosolids" means biosolids that are not sold or given away in a bag or other container for application to the land.

"Ceiling concentration" means the maximum concentration of a pollutant in any biosolids sample, beyond which level the biosolids would be classified as municipal sewage sludge not suitable for application to the land. Ceiling concentrations are established in Table 1 of WAC 173-308-160.

"Class I biosolids management facility" is any publicly owned treatment works (POTW), as defined in 40 CFR 501.2, required to have an approved pretreatment program under 40 CFR 403.8(a) (including any POTW located in a state that has elected to assume local program responsibilities under 40 CFR 403.10(e)), and any treatment works treating domestic sewage, as defined in 40 CFR 122.2, classified as a Class I biosolids management facility by the U.S. EPA Regional Administrator, or in the case of approved state programs, the Regional Administrator in conjunction with the state director, because of the potential for its biosolids use or disposal practice to affect public health and the environment adversely.

"Clean Water Act" or "CWA" means the Clean Water Act or Federal Clean Water Act (FCWA) (formerly referred to as either the Federal Water Pollution Act or the Federal Water Pollution Control Act Amendments of 1972), Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, Public Law 97-117, and Public Law 100-4.

"Complete application" includes but is not limited to the following: a completed *Application for Coverage*, a vicinity map of the facility, a vicinity map of any associated treatment or storage facilities, a treatment facility schematic, confirmation that the SEPA requirements have been met, confirmation that public notice requirements have been met, land application plans if required, monitoring data if required, a biosolids sampling plan if required, a contingency plan for exceptional quality biosolids if required, a temporary disposal plan if required, a spill prevention/ response plan if required, and a signature by an appropriate official.

"Composting" means the controlled biological degradation of organic solid waste yielding a product for use as a soil conditioner. This does not include the treatment of sewage sludge in a digester at a wastewater treatment plant.

"Cumulative pollutant loading rate" is the maximum amount of a pollutant that can be applied to an area of land from biosolids that exceed the pollutant concentration limits established in Table 3 of WAC 173-308-160.

"Density of microorganisms" is the number of microorganisms per unit mass of total solids (dry weight) in the biosolids.

"Department" means the Washington State Department of Ecology and, within the scope of its delegation, a local health jurisdiction that has been delegated authority under WAC 173-308-050.

"Disposal on an emergency basis" means a period up to but not exceeding one year. Generally, emergency situations requiring the use of disposal facilities will normally occur as a result of inclement weather conditions at a beneficial use site, contractual or technical difficulties in the treatment, transportation, or application of the biosolids, or as a result of short term economic or administrative barriers, any and all of which are expected to be resolved within a period of one year.

"Disposal on a long-term basis" means to adopt disposal as a preferred method of management for at least five years, or for an indefinite period of time with no expectation for pursuing other management alternatives.

"Disposal on a temporary basis" means a period of more than one but less than five years. Generally, situations requiring the temporary use of disposal facilities will normally occur as a result of deficiencies in the wastewater or biosolids treatment process, or economic, administrative, or contractual constraints which cannot be resolved in less than one year.

"Domestic septage" means domestic septage - Class I, Class II, or Class III as defined in this section.

"Domestic septage - Class I" is liquid or solid material removed from domestic septic tanks, cesspools, or similar treatment works that receive only domestic sewage, and that has had a sufficiently long residency time to be considered largely stabilized. For the purposes of managing mixed loads or batches of septage, a load or batch is considered Class I if it does not exceed twenty-five percent by volume of Class II domestic septage or twenty-five percent by volume of restaurant grease trap waste, unless otherwise approved by the department.

"Domestic septage - Class II" is liquid or solid material removed from portable toilets, type III marine sanitation devices, vault toilets, pit toilets, RV holding tanks or other similar holding systems that receive only domestic sewage.

"Domestic septage - Class III" is liquid or solid material removed from domestic septic tanks, cesspools, or similar treatment works that receive sewage from commercial or industrial sources, but which the department has determined to be domestic in quality under WAC 173-308-020 (3)(g).

"Domestic septage managed as biosolids originating from municipal sewage sludge," means domestic septage managed as if it had originated from a sewage treatment process at a publicly owned treatment works.

"Domestic sewage" is waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

"Dry weight basis" means calculated on the basis of having been dried at 105°C until reaching a constant mass (i.e., essentially one hundred percent solids content).

"Exceptional quality biosolids" means biosolids that meet the pollutant concentration limits in Table 3 of WAC 173-308-160, the Class A pathogen reduction requirements in one of WAC 173-308-170 (2)(a) through (f), and the vector attraction reduction requirements in one of WAC 173-308-180 (2) through (7).

"Facility" means a treatment works treating domestic sewage as defined in Chapter 173-308, unless the context of the rule requires otherwise. For the purposes of Chapter 173-308 a facility is considered to be new if it has not been previously approved for the treatment, storage, use, or disposal of biosolids.

"Feed crops" are crops produced primarily for consumption by animals.

"Fiber crops" are crops such as flax and cotton, including but not limited to those whose parts or by-products may be consumed by humans or used in the production or preparation of food for human consumption.

"Food crops" are crops consumed by humans. These include, but are not limited to, fruits, vegetables, grains, and tobacco.

"Forest" is an area of land that is managed for the production of timber or other forest products, or for benefits such as recreation and watershed protection, and that is or will be dominated by trees under the current system of management. For the purposes of this permit, other areas of land that are not regulated as agricultural land, public contact sites, land reclamation sites, or lawns or home gardens are considered forestland.

"Groundwater" means water in a saturated zone or stratum beneath the surface of land or below a surface water body.

"Health jurisdiction" or "local health jurisdiction" means city, county, city-county, or district public health jurisdiction as defined in chapters 70.05, 70.08, and 70.46 RCW.

"Individual permit," for the purposes of this permit, means a permit issued by the department to a single treatment works treating domestic sewage in accordance with WAC 173-308-310, which authorizes the application of biosolids to the land or the disposal of biosolids in a municipal solid waste landfill.

"Industrial wastewater" is wastewater generated in a commercial or industrial process.

"Land application" is the application of biosolids to the land surface by means such as spreading or spraying; the injection of biosolids below the land surface; or the incorporation of biosolids into the soil, for the purpose of beneficial use.

"Land with a low potential for public exposure" is land that the public uses infrequently. This includes, but is not limited to, agricultural land, forest, and a reclamation site located in an unpopulated area (e.g., a strip mine located in a rural area).

"Land with a high potential for public exposure" is land that the public uses frequently. This includes, but is not limited to, a public contact site and a reclamation site located in a populated area (e.g., a construction site located in a city).

"Local health jurisdiction" see definition of health jurisdiction.

"Monthly average" is the arithmetic mean of all measurements taken during the month.

"Municipal sewage sludge" means sewage sludge generated from a publicly owned treatment works. For the purposes of this permit, sewage sludge generated from the treatment of only domestic sewage in a privately owned or industrial treatment facility is considered municipal sewage sludge.

"Municipality" means a city, town, borough, county, parish, district, association, or other public body (including an inter-municipal agency of two or more of the foregoing entities)

created by or under state law; or a designated and approved management agency under section 208 of the Clean Water Act, as amended. The definition includes a special district created under state law, such as a water district, sewer district, sanitary district, utility district, drainage district, or similar entity, or an integrated waste management facility as defined in section 201(e) of the Clean Water Act, as amended, that has as one of its principal responsibilities the treatment, transport, use, or disposal of biosolids.

"Other container" is either an open or closed receptacle. This includes, but is not limited to, a bucket, a box, a carton, and a vehicle or trailer with a load capacity of one metric ton or less.

"Owner" means any person with ownership interest in a site or facility, or who exercises control over a site or facility, but does not include a person who, without participating in management of the site or facility, holds indicia of ownership primarily to protect the person's security interest.

"Pasture" is land on which animals feed directly on feed crops such as legumes, grasses, grain stubble, or stover.

"Pathogenic organisms" are disease causing organisms. These include, but are not limited to, certain bacteria, protozoa, viruses, and viable helminth ova.

"Permit" means an authorization, license, or equivalent control document issued by the director to implement the requirements of this permit.

"Person" is an individual, association, partnership, corporation, municipality, state or federal agency, or an agent or employee thereof.

"Person who prepares biosolids" is either the person who generates biosolids during the treatment of domestic sewage in a treatment works or the person who derives a material from biosolids.

"pH" means the logarithm of the reciprocal of the hydrogen ion concentration.

"Pollutant" is an organic substance, an inorganic substance, a combination of organic and inorganic substances, or a pathogenic organism that, after discharge and upon exposure, ingestion, inhalation, or assimilation into an organism either directly from the environment or indirectly by ingestion through the food chain, could, on the basis of information available to the Administrator of U.S. EPA, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunction in reproduction), or physical deformations in either organisms or offspring of the organisms.

"Pollutant limit" is a numerical value that describes the amount of a pollutant allowed per unit amount of biosolids (e.g., milligrams per kilogram of total solids); the amount of a pollutant that can be applied to a unit area of land (e.g., kilograms per hectare); the volume of a material that can be applied to a unit area of land (e.g., gallons per acre); or the number of pathogens or indicator organisms per unit of biosolids. Pollutant limits are established in Tables 1 - 4 of WAC 173-308-160, in WAC 173-308-170, and in WAC 173-308-270.

"Public contact site" is land with a high potential for contact by the public. This includes, but is not limited to, public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.

"Publicly owned treatment works" means a treatment works treating domestic sewage that is owned by a municipality, the state of Washington, or the federal government.

"Range land" is generally open, uncultivated land dominated by herbaceous or shrubby vegetation that may be used for grazing or browsing, either by wildlife or livestock.

"Receiving-only facility" means a treatment works treating domestic sewage that only receives municipal sewage sludge or biosolids from other sources for further treatment and/or application to the land, and which does not generate any biosolids from the treatment of domestic sewage.

"Reclamation site" is drastically disturbed land that is reclaimed using biosolids. This includes, but is not limited to, strip mines and construction sites.

"Residential equivalent value" means the number of residential equivalents determined for a facility under chapter 173-224 WAC or a value similarly obtained under WAC 173-308-320.

"Restrict public access" means to minimize access of nonessential personnel to land where biosolids are applied, through the use of natural or artificial barriers, signs, remoteness, or other means.

"Saturated zone" means the zone below the water table in which all interstices are filled with water.

"Sewage sludge" is solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.

"Significant change in biosolids management practices" means a change in the quality of biosolids that are applied to the land, either from class A to class B for pathogens, or from Table 3 to Table 1 of WAC 173-308-160 for pollutant limits; the addition of a new area to which biosolids will be applied, which was not previously disclosed during a required public notice process; for class B biosolids only, a change from nonfood crops to food crops, a change from crops where the harvestable portions do not contact the biosolids/soil mixture to crops where the harvestable portion contacts the biosolids/soil mixture, or a change in site classification from land with a low potential for public exposure to land with a high potential for public exposure; or any change or deletion of a requirement established in an approved land application plan or established as a condition of coverage under a permit that would result in a decrease in buffer size, site monitoring, or facility reporting requirements, which was not otherwise provided for in the permit or plan approval process.

"Significantly remove or reduce recognizable materials" means to remove recognizable debris from biosolids by means such as screening, or to reduce the number of recognizable items in biosolids by means such as grinding, to a level that in the opinion of the department, will not result in an aesthetic nuisance or physical hazard when biosolids are applied to the land.

"Site" means all areas of land, including buffer areas, which are identified in the scope of an approved site specific land application plan. A site is considered to be new or expanded when biosolids are applied to an area not approved in a site specific land application plan or that was not previously disclosed during a required public notice process.

"Specific oxygen uptake rate (SOUR)" is the mass of oxygen consumed per unit time per unit mass of total solids (dry weight basis) in the biosolids.

"State" means the state of Washington.

"Store or storage of biosolids" is the placing of biosolids on land on which the biosolids remain for two years or less. This does not include the placing of biosolids on land for treatment or disposal.

"Stover" is the nongrain, above-ground part of a grain crop, often corn or sorghum.

"Surface waters of the state" means surface waters of the state as defined in WAC 173-201A-020.

"Total solids" are the materials in biosolids that remain as residue when the biosolids are dried at 103 to 105°C.

"Treat or treatment of biosolids" is the preparation of biosolids for final use or disposal. This includes, but is not limited to, thickening, stabilization, and dewatering of biosolids. This does not include storage of biosolids.

"Treatment works" is either a federally owned, publicly owned, or privately owned device or system used to treat (including recycle and reclaim) either domestic sewage or a combination of domestic sewage and industrial waste of a liquid nature.

"Treatment works treating domestic sewage" means a publicly owned treatment works or any other sewage sludge or wastewater treatment devices or systems, regardless of ownership, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage or sewage sludge, including land dedicated for the disposal of sewage sludge. Treatment works treating domestic sewage also includes a beneficial use facility that has been permitted in accordance with the provisions of WAC 173-308-310, and a person, site, or facility designated as a treatment works treating domestic sewage in accordance with WAC 173-308-310 (1)(b). This definition does not include septic tanks or similar devices, but may include persons or vehicles that service septic systems and centralized septicage facilities that are designated as a treatment works treating domestic sewage or are applicable under this definition.

"Vector attraction" is the primarily odorous characteristic of biosolids that attracts rodents, flies, mosquitoes, or other organisms capable of transporting infectious agents.

"Waters of the state" means waters of the state as defined in RCW 90.48.020 RCW.

"Wetlands" means those areas that are inundated or saturated by surface water or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

3. Overview of the General Permit for Biosolids Management

3.1. Purpose

This general permit for biosolids management authorizes the beneficial use of biosolids, the transfer of biosolids within a facility or from one facility to another, and the disposal of biosolids

in municipal solid waste landfills. This general permit establishes the conditions that must be met for the above activities in the State of Washington, according to the provisions of Chapter 173-308 WAC, *Biosolids Management*.

3.2. Septage

This general permit also authorizes the beneficial use of a class of biosolids known as septage. For persons engaged in septage management **and** that are required to seek coverage under this general permit, specific management, records keeping, monitoring, and reporting requirements can be found in Section 13 of this permit. Section 13 also cites other sections and subsections of this permit and portions of Chapter 173-308 WAC that are applicable to septage management, as appropriate. Additionally, the requirements and information in Sections 5, 6, 9, 15, and 16 of this permit apply to septage management.

3.3. Authority

Authority for administering a state biosolids management program is granted to the Department of Ecology in Chapter 70.95J, RCW. The state program, which includes this general permit, is intended to comply with all applicable federal rules adopted pursuant to the federal Clean Water Act as it existed on February 4, 1987, and Chapter 90.48 RCW, Water Pollution Control.

3.4. Geographical Area Covered

This general permit is applicable within the boundaries of the state of Washington, including state and federal lands and state and federal facilities, but exclusive of lands within the boundaries of Native American nations.

3.5. Local Health Jurisdictions Involvement

The department may delegate authority to local health jurisdictions (LHJs) to implement and assist in the administration of Chapter 173-308 and this general permit. Delegation is accomplished through an instrument of mutual consent (e.g. a Memorandum of Understanding) that is acceptable to both the department and the LHJ. When applying for coverage under this general permit, you should contact the department to find out the status of delegation agreements in the areas where you treat, store, or apply biosolids to the land.

3.6. Role of U.S. EPA

U.S. EPA has a responsibility for implementing a national biosolids management program. U.S. EPA Region 10 (WA, OR, ID and AK) and Ecology work cooperatively on program implementation. U.S. EPA provides periodic technical assistance to the state; in return the state provides certain information on request to U.S. EPA regarding biosolids management in Washington.

U.S. EPA's authority to implement a biosolids management program under the Clean Water Act is separate from the authority enabling the state program. Federal rules and state statute authorize the Department of Ecology to pursue delegation of federal program authority from U.S. EPA.

Preparing a delegation package is a resource consumptive task, and Ecology elected in 2003 to cease any pursuit of delegation until such time as adequate resources are available.

A lack of delegation does not nullify the state program which operates under independent authority. It does, however, leave unresolved certain parallel obligations of the regulated community, principally timely permit applications and annual reporting to the federal level. There are other administrative implications as well. All applicable facilities in Washington continue to incur whatever obligations are set forth by the federal program; satisfaction of state program requirements does not necessarily satisfy federal obligations.

3.7. Persons Required to Apply for Coverage Under This General Permit

You must apply for coverage under this permit if you are a person who:

- Owns or operates one of the facilities described in Table 3.1 of this permit.
- and**
- You do not have an individual permit issued under Chapter 173-308 WAC and do not have permission from the department to apply for an individual permit.

Table 3.1

<i>FACILITY TYPES REQUIRED TO APPLY FOR COVERAGE UNDER THIS PERMIT</i>
Publicly owned treatment works
Privately owned treatment works treating only domestic wastewater
Industrial facilities that treat domestic wastewater separately from the industrial waste stream, and generate biosolids regulated by Chapter 173-308 WAC
Beneficial use facilities ¹
Composting facilities ² that compost non-exceptional quality biosolids and that do not have an adequate ³ permit issued by the LHJ where the non-exceptional quality biosolids are composted
Centralized septage treatment facilities that do not have an adequate ⁴ permit issued by the LHJ where the facility is located
Individual septage haulers who apply septage directly to the land that do not have an adequate ⁵ permit issued by the LHJ where the septage is applied to the land and that have been designated by the department as a treatment works treating domestic sewage as described in Subsection 3.9 below
Facilities designated by the department as a treatment works treating domestic sewage as described in Subsection 3.9 of this permit

3.8. *Persons Not Required to Apply for Coverage Under This General Permit*

3.8.1. Certain Septage Haulers

If you are an individual septage hauler who brings all septage to a facility permitted under Chapter 173-308 WAC, you are not required to apply for coverage under this permit unless you have been designated as a treatment works treating domestic sewage.

3.8.2. Facilities Accepting Only Exceptional Quality Biosolids

If you are the owner or operator of a facility that accepts only exceptional quality biosolids for further treatment, mixing, or processing (such as composting and top soil manufacture) you are not required to apply for coverage under this permit. However, a solid waste handling permit **may** be required for your operation (please contact the LHJ where your facility is located).

¹ While biosolids are beneficially used on all land application sites, not all land application sites are beneficial use facilities. A “Beneficial Use Facility” is specifically and separately permitted and can accept biosolids from different customers, consistent with its permit requirements.

² If you own or operate a biosolids compost facility **and** you are required to apply for coverage under this permit according to Subsection 3.6, you must comply with the requirements in the sections of this permit that describe the final use of the compost. For example, if you produce biosolids compost for bulk application to lawns and home gardens, you must comply with the requirements in Section 11 of this permit. The compost must meet the requirements to be classified as exceptional quality biosolids. If you produce biosolids compost for sale or give-away in bags or other containers, you must comply with the requirements in Section 12 of this permit.

³ A permit issued by the LHJ is adequate if the department agrees the conditions in the permit meet or exceed the requirements of Chapter 173-308 WAC.

⁴ Ibid.

⁵ Ibid.

3.9. Designating a Person as a Treatment Works Treating Domestic Sewage

3.9.1. Reasons for Designating

The department may designate any person, site, or facility that treats, uses, transports, or applies biosolids as a treatment works treating domestic sewage in order to:

- Protect human health or the environment from the adverse effects of pollutants in the biosolids.
- Protect human health or the environment from poor biosolids management practices.
- Ensure compliance with any of the requirements in Chapter 173-308 WAC.

3.9.2. Bulk Biosolids From Other States

The department may also designate a treatment works treating domestic sewage for any site where bulk biosolids originating from outside the jurisdiction of the state of Washington are applied or received.

3.10. Use of Reference Documents

The department will rely on several guidance documents to approve land application plans developed under this permit, including:

- 1) ***Biosolids Management Guidelines***. WDOE 93-80, revised July, 2000.
- 2) ***Managing Nitrogen from Biosolids***. WDOE 99-508 (a cooperative publication of the Northwest Biosolids Management Association, area universities, and the Department of Ecology), April 1999.
- 3) ***A Guide to the Biosolids Risk Assessments for the EPA Part 503 Rule***. EPA 832-B-93-005, United States EPA, September 1995.
- 4) ***A Plain English Guide to the EPA Part 503 Biosolids Rule***. EPA/832/R-93/003, United States EPA, September 1994.
- 5) ***Guide to Septage Treatment and Disposal***. EPA/625/R-94/002, United States EPA, September 1994.
- 6) ***Domestic Septage Regulatory Guidance – A Guide to the EPA 503 Rule***. EPA 832-B-92-005, United States EPA, September 1993.
- 7) ***Part 503 Implementation Guidance***. EPA 833-R-95-001, United States EPA, October 1995.
- 8) ***Environmental Regulations and Technology – Control of Pathogens and Vector Attraction in Sewage Sludge***. EPA/625/R-92/013, United States EPA, Revised July, 2003.
- 9) ***Process Design Manual – Land Application of Sewage Sludge and Domestic Septage***. EPA/625/R-95/001, United States EPA, September 1995.

You are encouraged to acquire and maintain updated versions of the above listed documents. Links to some of these documents can be found at the Department of Ecology's biosolids

website at the following address:

<http://www.ecy.wa.gov/programs/swfa/biosolids/guidelines.html>.

3.11. Activities Subject to Coverage Under This General Permit

3.11.1. List of Activities

Coverage under this general permit is based on activities related to the final use of biosolids⁶. These activities correspond to sections in Chapter 173-308 WAC and include the following management alternatives:

- Bulk biosolids applied to agricultural lands
- Bulk biosolids applied to forest lands
- Bulk biosolids applied to public contact sites (e.g. parks, ballfields)
- Bulk biosolids applied to a land reclamation site
- Bulk biosolids applied to lawns or home gardens
- Biosolids sold or given away in bags or other containers
- Domestic septage applied to the land
- Non-exceptional quality biosolids transferred to another facility, including but not limited to other treatment works (includes incinerators), compost facilities, and beneficial use facilities
- Sewage sludge disposed of in municipal solid waste landfills

3.12. Requiring An Individual Permit

- 1) Under certain conditions, you may request or be required to apply for coverage under an individual permit.
- 2) You **may** apply for an individual permit for any of the following reasons:
 - You have requested permission to apply for an individual permit and the department has granted permission.
 - You have proposed final use or disposal practices that are not covered in this general permit. In this instance, the department may require you to change your practices to conform to this general permit and then apply for coverage under this general permit.
 - You have applied for coverage under this general permit but you also engage in practices that are not covered under the general permit. You must have approval by the department to apply for an individual permit in this instance.

⁶ If you are a treatment works treating domestic sewage which treats or stores biosolids in a lagoon, tank, or other holding system, you are presumed to participate in beneficial use of your biosolids at the time of removal, or you must transfer your biosolids to another treatment works at that time. If you fail to engage in beneficial use or transfer to another facility you will be required to obtain federal permit coverage and/or local solid waste permit coverage for your facility (please contact U.S. EPA Region 10 and the LHJ where your facility is located).

3) You **must** apply for coverage under an individual permit if:

- You have been notified by the department that you must apply for an individual permit.

4. Automatic Coverage Under This General Permit

This section describes the provisions of automatic coverage for temporary and emergency disposal in a municipal solid waste landfill and for transfer of biosolids to another facility.

Any facility that has submitted a Notice of Intent and properly applied for coverage under this general permit, is automatically covered under this section for the practices described in this section.

4.1. Conditions for Emergency⁷ or Temporary⁸ Disposal

As a condition of emergency or temporary disposal, you must comply with the following requirements:

- You must obtain a written determination from the LHJ where the biosolids are being or would be land applied, that a potentially unhealthful circumstance exists under present conditions of management or would result from land application of the biosolids, and that other management options are unavailable or would pose a threat to human health or the environment. A copy of this determination must be provided to Ecology.
- You must obtain written approval (for the disposal activity) from the LHJ where the disposal is proposed to take place. You must forward a copy of this written approval (from the receiving jurisdiction) to Ecology.
- The landfill to which you send your biosolids must comply with the requirements of Chapter 173-351 WAC, Criteria for Municipal Solid Waste Landfills and 40 CFR Part 258.
- The biosolids you dispose in a municipal solid waste landfill must meet the restrictions for liquids in landfills in WAC 173-351-200(9).
- The biosolids you dispose in a municipal solid waste landfill must not be hazardous waste as defined in Chapter 173-303 WAC.
- You must ensure that the requirements in WAC 173-351-220(10) are met.

4.1.1. Plan Required for “Temporary” Disposal

In addition to the requirements in Subsection 4.1 of this permit, you must submit a plan for temporary (but not emergency) disposal of municipal sewage sludge or biosolids in a municipal solid waste landfill. The plan must be submitted to and approved by the department. The plan must include the following information:

⁷ Please see the definition of “disposal on an emergency basis” in Section 2 of this permit.

⁸ Please see the definition of “disposal on a temporary basis” in Section 2 of this permit.

- The conditions which make disposal necessary.
- The steps that will be taken to correct the conditions so that disposal will not become a long term management option.
- A time table for implementing the corrective steps. Failure to adhere to the approved plan or time table may result in revocation of the approval to dispose of your biosolids.

4.2. Authorization for Sending Biosolids to Another Facility

Coverage under this general permit includes authorization for sending your municipal sewage sludge or biosolids to another facility if the following requirements are met:

- The receiving facility must be covered under this general permit or another applicable permit issued by the department. In cases where the facility is located outside of the jurisdiction of the state of Washington, the receiving facility must be covered under an applicable state, local, or federal permit, and the department must be provided with evidence of this coverage. Facilities outside the jurisdiction of the state of Washington include those located on tribal lands, those located in other states, and those located in other nations. The receiving facility's permit must not prohibit receipt of biosolids from other sources.
- You must provide necessary information to the person who receives the municipal sewage sludge or biosolids to comply with Chapter 173-308 WAC. This may include but is not limited to analytical and other information regarding the quality of the biosolids you are providing.
- You must obtain necessary information from the person who receives municipal sewage sludge or biosolids to comply with Chapter 173-308 WAC. This includes but is not limited to information confirming the permit status of the facility you are delivering biosolids to and whether or not their permit provides for suitable management of the biosolids you are providing. You may be subject to enforcement action for the noncompliance of the facility to which you provide your biosolids, or the noncompliance of their contractors.
- The facility which provides the biosolids must obtain receipts, invoices, trip tickets, vouchers, or other information which show that the biosolids were received by the intended facility.

5. How to Apply for Coverage

5.1. Type of Application and When to Apply

- 1) To apply for coverage under this general permit, you must either submit a **complete application**⁹ or a **Notice of Intent and a complete application** according to Table 5.1.

⁹ Please see definition the of "complete application" in Section 2 of this permit.

Table 5.1

<i>FACILITY TYPE</i>	<i>DOCUMENT(S) REQUIRED AND WHEN</i>
Existing Class I biosolids management facility	Complete application within 90 days of the effective date of this permit
Existing publicly owned treatment works with a design flow rate equal to or greater than one million gallons per day	Complete application within 90 days of the effective date of this permit
Existing publicly owned treatment works that serves a population of 10,000 or more people	Complete application within 90 days of the effective date of this permit
Existing biosolids beneficial use facilities	Complete application within 90 days of the effective date of this permit
Existing permitted septage management facilities	Complete application within 90 days of the effective date of this permit
Existing publicly owned treatment works that submitted a Notice of Intent as required but failed to submit a complete application during the original permit cycle (May 15, 1998 – May 14, 2003)	Complete application within 90 days of the effective date of this permit
All existing applicable facilities that failed to submit a Notice of Intent as required	A Notice of Intent and a complete application within 90 days of the effective date of this permit
All existing applicable facilities not listed above in this table, e.g., biosolids compost facilities required to seek coverage under this general permit, publicly owned treatment works serving less than 10,000 people and with a design flow rate of less than one million gallons per day, private treatment works	A complete application for these facilities is due at a later date according to WAC 173-308(4)(h). The due date depends on whether or not the facility has an NPDES, State Waste Discharge permit, or solid waste handling permit and on the potential need to expedite the permit process. Facilities generally have at least 180 days to submit a complete application .
All new facilities	Notice of Intent and a complete application at least 180 days in advance of engaging in applicable biosolids management activities

2) The department may require any applicable facility to apply earlier if the department finds it necessary to do any or all of the following:

- Expedite the permitting process,
- Protect human health or the environment from the adverse effect of a pollutant in the biosolids,
- Protect human health or the environment from poor biosolids management practices,
- Ensure compliance with any of the requirements in Chapter 173-308 WAC,

- Regulate biosolids being applied to the land or received at any site when those biosolids originated from outside the jurisdiction of the state of Washington.

5.2. Complying With the State Environmental Policy Act

The act of applying for coverage under this permit triggers a requirement for review under the State Environmental Policy Act (SEPA).

5.2.1. When to Comply With SEPA

At or about the same time that you apply for coverage under this general permit, you must comply with the SEPA rules adopted under Chapter 197-11 WAC. In some cases the applicant acts as its own lead agency. In other cases the lead agency may be another part of local government or the Department of Ecology. It may be possible to use previous SEPA documents to comply with SEPA requirements, however, such a determination must be made by the SEPA lead official.

5.2.2. Public Notice for SEPA

You may be able to coordinate public notice requirements of SEPA with similar requirements of this permit. If SEPA is used to meet the public notice requirements of the biosolids permit process, you must ensure that the requirements of WAC 173-308-310(11) are met. You must also ensure that comments are directed to the biosolids regulatory official as well as the responsible SEPA official.

5.3. Submitting a Permit Application and/or Notice of Intent

You must submit copies of your Notice of Intent and/or permit application as follows:

- The original Notice of Intent to the biosolids coordinator in the regional office of the Department of Ecology where your facility is located.
- One copy of the Notice of Intent to any other regional office of the Department of Ecology where your biosolids will be treated, stored, disposed, or applied to the land.
- One copy of the Notice of Intent to the biosolids coordinator at the Department of Ecology headquarters office.
- One copy of the Notice of Intent to the LHJ in each county where your biosolids will be treated, stored, disposed, or applied to the land.
- The original application to the biosolids coordinator in the regional office of the Department of Ecology where your facility is located.
- One copy of the application to any other regional office of the Department of Ecology where your biosolids will be treated, stored, disposed, or applied to the land.
- One copy of the application to the biosolids coordinator at the Department of Ecology headquarters office.
- One copy of the application to the LHJ in each county where your biosolids will be treated, stored, disposed, or applied to the land.

5.4. Information to Submit in the Application Process

Applications and notices of intent must be submitted on forms or in a format authorized by the department. To obtain the updated version of the Notice of Intent and the Application for Coverage, please see the Department of Ecology's biosolids website at the following address: <http://www.ecy.wa.gov/programs/swfa/biosolids/index.html> or contact your regional biosolids coordinator to request the appropriate document(s).

5.5. Public Notice Required in the Permit Application Process

5.5.1. When to Issue Public Notice

5.5.1.1.Applying for Coverage Initially

If you have not previously applied for coverage under a previous general permit or this general permit, when you apply for coverage under this general permit, you must issue public notice within each county where your biosolids will be treated and where your non-exceptional quality biosolids will be applied to the land. You must comply with this requirement if your facility is new or existing. You must comply with this requirement when you submit a complete application, but not when you submit a Notice of Intent.

5.5.1.2.Applying for Renewal of Coverage

If you have previously applied for coverage under a previous general permit or this general permit, when you apply for renewal of coverage under this general permit or a subsequent general permit, you must issue public notice within each county where your biosolids will be treated and where your non-exceptional quality biosolids will be applied to the land **only** when you propose a significant change in biosolids management practices. Thus, **if you have previously submitted a complete application (including fulfilling public notice and SEPA requirements), and you are not proposing significant changes in biosolids management practices when you apply for renewal of coverage, you are not required to conduct public notice.**

5.5.1.3.Exception

You are not required to issue public notice in the county where your biosolids are sent to a permitted beneficial use facility if the following conditions are met:

- The beneficial use facility has issued public notice identifying your facility as a provider of biosolids.
- or**
- The beneficial use facility has issued public notice clearly stating that biosolids will be accepted from unidentified sources, including, if applicable, sources outside of the county in which the beneficial use facility is located.

5.5.2. How to Issue Public Notice

5.5.2.1. Newspaper Publication

- 1) Except as stated in Subsections 5.5.1.2 and 5.5.1.3 of this permit, when you submit a permit application, you must publish two public notices, at intervals of at least one week, in a newspaper of general circulation within each county where your biosolids will be treated and where your non-exceptional quality biosolids will be applied to the land. Newspaper notice is not necessarily required for new sites proposed at a later date in accordance with an approved general land application plan.
- 2) You must issue public notice by any other method required by the department.

5.5.2.2. Interested Parties List

At or before the commencement of the public comment period, you must mail a copy of the public notice to any person or group that has notified you in writing of an interest in your biosolids management activities. You must provide written confirmation to each interested person or organization that their name has been placed on a list of interested persons, if a request by the interested person is made in writing. The confirmation must be sent by certified mail, return receipt requested.

5.5.2.3. Notice At Land Application Sites

You must post all sites where non-exceptional quality biosolids will be applied to the land as proposed in a site specific land application plan. Sites must be posted for the duration of the public comment period. The public comment period is 30 days after the last date of posting or publication of the notice described in Subsection 5.5.2.1 of this permit.

5.5.2.4. Submitting Copies of the Notice or Affidavit of Publication

You must send copies of the public notice, with a brief description of when and where it was issued or an Affidavit of Publication containing a copy of the notice to:

- The contact person in the regional office or headquarters of the Department of Ecology that has lead responsibility for the permit.
- and**
- The LHJ in each county where biosolids will be treated, stored, applied to the land, or disposed in a municipal solid waste landfill, unless the LHJ has waived receipt of notification.

5.5.3. Information to Include in the Public Notice

Your public notice must contain at least the information in Appendix 1 of this permit.

6. Land Application Plans

6.1. Requirements for Submitting Land Application Plans

6.1.1. Land Application Plans for Non-Exceptional Quality Biosolids

- 1) Except as described in Subsections 6.1.1.3 and 6.1.1.4 of this permit, you are required to submit land application plan(s) as part of your Application for Coverage under this permit for non-exceptional quality biosolids.
- 2) All land application plans are extensions of your permit and permit coverage, and the stipulations and requirements of those plans are fully enforceable elements of your permit.

6.1.1.1.Site Specific Land Application Plans

You must submit a site specific land application plan for approval for every site where non-exceptional quality biosolids are applied to the land.

6.1.1.2.General Land Application Plans

- 1) You must submit a general land application plan if you intend to apply biosolids to sites not identified in a site specific land application plan in your permit application (i.e. if you intend to develop other land application sites during the life of your permit coverage).
- 2) As you identify individual sites during the life of the permit (according to your general land application plan), you must submit a site specific land application plan for each new site. All subsequent site specific land application plans must be consistent with your general land application plan.

6.1.1.3.Exemption for Some Facilities Renewing Coverage

Unless a new plan(s) is requested by the department, when you apply for renewal of coverage under this general permit or a subsequent general permit, you are not required to submit land application plans if the following conditions are met:

- During the previous permit cycle you received official notification by the department that you were issued final coverage, and biosolids management practices remain consistent with the approved plans.
- or**
- During the previous permit cycle you submitted all required land application plan(s), and when applying for coverage under this permit you have reviewed those previously submitted plan(s) and the plan(s) meet the requirements in Appendix 2 and 3, respectively, of this permit.

6.1.1.4.Exception for Biosolids Going to Permitted Beneficial Use Facilities

When you provide your biosolids to a permitted beneficial use facility, you are not required to submit land application plans if the following conditions are met:

- 1) In your permit application you identified the beneficial use facility or specified the criteria by which beneficial use facilities would be selected at a future date.

and

- 2) At least 30 days in advance of delivering biosolids to the beneficial use facility you submit to the department a certification statement signed in accordance with the requirements in Subsection 9.18 of this permit, stipulating that:

- The applicable site specific land application plan and other management plans approved for the beneficial use facility are appropriate to the quality of biosolids you are providing.

and

- You have reviewed the public notice conducted by the beneficial use facility and the conditions in WAC 173-308-310(11)(d)(iii) have been met, or additional public notice has been conducted in accordance with WAC 173-308-310(11).

6.1.2. Land Application Plans for Exceptional Quality Biosolids

You are **not** required to submit land application plans if your facility prepares exceptional quality biosolids except under the following circumstance.

- If you prepare exceptional quality biosolids for bulk application to the land, the department may require land application plans in circumstances where permit conditions need evaluation or the department finds there would be a strong benefit to the public from preparation of a site specific plan.

6.1.2.1.Contingency Plan Required for Exceptional Quality Biosolids

You must prepare a contingency plan that describes a procedure you will follow in the event that your process yields biosolids that do not meet the requirements to be classified as exceptional quality. For example, biosolids compost that does not meet the Class A pathogen requirements can be re-processed using a Process to Further Reduce Pathogens. The contingency plan would briefly describe the procedures an operator would follow to re-process the compost. Another example of a contingency plan would be to transfer the non-exceptional quality biosolids to permitted biosolids beneficial use facility. The contingency plan would briefly describe how the facility will ensure that the biosolids meet the quality standards for land application and perhaps how a beneficial use facility will be selected.

6.2. *Public Notice Requirement for New or Expanded Application Sites Added in Accordance With An Approved General Land Application Plan*

Except where your biosolids are provided to a permitted biosolids beneficial use facility that you have verified has met the public notice requirements, you must issue public notice in the county where your non-exceptional quality biosolids will be applied to new or expanded application sites that have been proposed according to an approved general land application plan. This requirement to issue public notice for new or expanded sites can be satisfied by either a SEPA process or by an integrated project review under the State Growth Management Act (SGMA). However, it is important to note that even where public notice requirements are met by a SEPA process or under the SGMA, the public notice must include at least a 30-day comment period and must contain the substantive information required in Appendix 1 of this permit. You must also fulfill the public hearing requirements, if required, in WAC 173-308-310(12). For new or expanded sites added in accordance with an approved general land application plan where public notice requirements are not met by a SEPA or SGMA process, public notice must meet the requirements of WAC 173-308-310(11)(a)(ii) through (v) and WAC 173-308-310(11)(b) and, if required, the public hearing requirements in WAC 173-308-310(12). Minimally, regardless of what process is used to meet the public notice requirements for a new or expanded application site added in accordance with an approved general land application plan, the following must be met:

- A 30-day public comment period must be allowed.
- The proposed new site(s) or expanded site(s) must be posted during the entire 30-day public comment period.

6.3. *Additional Requirements for Land Application Plans*

All land application plans are subject to review and approval by the department. If a land application plan is found to be insufficient, the department may either request additional information or may impose additional requirements as a condition of continued coverage under this general permit. **Any such additional requirements are considered to be permit requirements, fully enforceable in accordance with the provisions of Chapter 173-308 WAC.**

6.4. *Site Specific Land Application Plan - Details*

Site specific land application plans must provide information necessary to determine if a site is appropriate for land application of biosolids. The minimum required content of a site specific land application plan can be found in Appendix 2 of this permit, in WAC 173-308-310(6)(d), and in Appendix 1 of the *Application for Coverage*.

6.5. General Land Application Plan - Details

General land application plans must provide information sufficient to understand how a facility will choose and manage potential future sites and how notice will be provided to the department, the LHJ, interested parties, and adjacent landowners. The minimum required content of a general land application plan can be found in Appendix 3 of this permit, in WAC 173-308-310(6)(e), and in Appendix 2 of the *Application for Coverage*.

6.6. Changes to Land Application Plans - Modifying Permit Coverage

- 1) Some facilities—such as lagoons or other treatment works that have infrequent production of biosolids from the system—who must submit a general land application plan even though they may have a limited ability to predict biosolids management during the life of this permit, may need to modify their coverage at a later date when more information is known about biosolids removal from the facility. Other facilities may also deem it necessary to amend their general land application plan(s) or site specific land application plan(s).
- 2) Facilities that need to amend an original land application plan that was submitted with the permit application will need to modify coverage under this permit. Modification of permit coverage will require that the facility meet the full public notice requirements of WAC 173-308-310(11) and potentially the public hearing and meetings requirements of WAC 173-308-310(12).

7. Record Keeping Requirements

- 1) You must keep certain records and certification statements described in this section of this permit if you do either or both of the following:
 - Prepare biosolids.
 - Apply bulk biosolids to the land.
- 2) The records and certification statements must show that applicable standards for biosolids quality, treatment, and management have been met. You must also keep records on the amount and type of biosolids applied to the land under different management scenarios or disposed of in a municipal solid waste landfill. A responsible official must sign all certification statements required in this section. Signatory requirements can be found in Subsection 9.18 of this permit, and in WAC 173-308-310(8).

7.1. Requirements for the Person Who Prepares Biosolids

7.1.1. Records On Amount of Biosolids

The person who prepares biosolids must keep the following records (amounts recorded as dry tons):

- The amount of bulk biosolids applied by the preparer or the preparer's agents to agricultural land.
- The amount of bulk biosolids applied by the preparer or the preparer's agents to forestland.
- The amount of bulk biosolids applied by the preparer or the preparer's agents to a public contact site.
- The amount of bulk biosolids applied by the preparer or the preparer's agents to a land reclamation site.
- The amount of bulk biosolids applied by the preparer or the preparer's agents to a lawn or home garden.
- The amount of biosolids that are sold or given away by the preparer in a bag or other container for application to the land.
- The amount of biosolids in a compost or blended biosolids product that is sold or given away by the preparer in bulk form or in a bag or other container for application to the land.
- The amount of bulk biosolids that are sold or given away by the preparer to another person who prepares biosolids for application to the land.
- The amount of bulk biosolids that are sold or given away by the preparer to a person other than an agent of the preparer for application to the land.
- The amount of biosolids that are disposed of in a municipal solid waste landfill on an emergency, temporary, or long term basis.
- The amount of biosolids incinerated.
- The amount of biosolids transferred to or received from any other facility or permit holder.

7.1.2. Records On Biosolids Quality and Treatment

7.1.2.1. Bulk Biosolids

When bulk biosolids are applied to the land, the person who prepares the biosolids must keep records according to the following table, as applicable, for five years:

<i>IF THESE STANDARDS OR REQUIREMENTS WERE MET:</i>	<i>KEEP THESE RECORDS:</i>
Pollutant ceiling concentrations in Table 1 (WAC 173-308-160) (but pollutant concentration limits in Table 3 were exceeded)	Laboratory analysis data showing that Table 1 limits were met.
Pollutant concentration limits in Table 3 (WAC 173-308-160)	Laboratory analysis data showing that Table 3 limits were met.
Class A pathogen requirements (WAC 173-308-170(2)(a) through (f))	1) Process monitoring and/or laboratory analysis data showing that requirements were met. 2) Description of how requirements were met.
Class B pathogen requirements (WAC 173-308-170(3)(a),(b), or (c))	1) Process monitoring and/or laboratory analysis data showing that requirements were met. 2) Description of how requirements were met.
Vector attraction reduction requirements (WAC 173-308-180(2) through (7))	1) Process monitoring and/or laboratory analysis data showing that requirements were met. 2) Description of how requirements were met.

7.1.2.2. Biosolids Sold or Given Away in Bags or Other Containers

When biosolids are sold or given away in a bag or other container for application to the land, the person who prepares the biosolids must keep records according to the following table, as applicable, for five years:

<i>IF THESE STANDARDS OR REQUIREMENTS WERE MET:</i>	<i>KEEP THESE RECORDS:</i>
Pollutant ceiling concentrations in Table 1 (WAC 173-308-160)	Laboratory analysis data showing that Table 1 limits were met.
Pollutant concentration limits in Table 3 (WAC 173-308-160)	Laboratory analysis data showing that Table 3 limits were met.
Class A pathogen requirements (WAC 173-308-170(2)(a) through (f))	1) Process monitoring and/or laboratory analysis data showing that requirements were met. 2) Description of how requirements were met.
Vector attraction reduction requirements (WAC 173-308-180(2) through (7))	1) Process monitoring and/or laboratory analysis data showing that requirements were met. 2) Description of how requirements were met.

7.1.3. Records On Nitrogen in Biosolids

The person who prepares biosolids that will be applied to the land or sold or given away in a bag or other container must keep laboratory analysis data on nitrogen in the biosolids. The data must show concentration and types of nitrogen in the biosolids. This data is necessary to determine an agronomic rate for the crop under management. Biosolids must be applied at agronomic rates as a condition of this permit unless the biosolids are applied to land reclamation sites or research sites according to Subsections 9.5.1 or 9.5.2 of this permit. This data must be kept for five years.

7.1.4. Certification Statements for the Person Who Prepares Biosolids

7.1.4.1. *Certification for Preparers of Bulk Biosolids*

If you prepare bulk biosolids for application to the land, you must sign and keep one of the following certification statements as appropriate:

- If vector attraction reduction requirements **were met** at your facility according to one of WAC 173-308-180(2) through (7), you must sign and keep the following certification statement:

"I certify, under penalty of law, that the [insert Class A or Class B as appropriate] pathogen requirements in [insert one of WAC 173-308-170(2)(a), (b), (c), (d), (e), or (f) if Class A, or insert one of WAC 173-308-170(3)(a), (b), or (c) if Class B], and the vector attraction reduction requirement in [insert one of the vector attraction reduction requirements in 173-308-180(2) through (7)] have been met. This determination was made under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that pathogen and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

- If vector attraction reduction requirements **were not met** at your facility according to one of WAC 173-308-180(2) through (7), you must sign and keep the following certification statement:

"I certify, under penalty of law, that the [insert Class A or Class B as appropriate] pathogen requirements in [insert one of WAC 173-308-170(2)(a), (b), (c), (d), (e), or (f) if Class A, or insert one of WAC 173-308-170(3)(a), (b), or (c) if Class B] have been met. This determination was made under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that pathogen reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

7.1.4.2. *Certification for Preparers of Biosolids Sold or Given Away in Bags or Other Containers*

If you prepare biosolids, which are sold or given away in bags or other containers for application to the land, you must sign and keep the following certification statement:

"I certify under penalty of law that the Class A pathogen requirement in [insert one of WAC 173-308-170(2)(a), (b), (c), (d), (e), or (f)], and the vector attraction reduction requirement in [insert one of WAC 173-308-180(2) through (7)] have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that management practice, pathogen requirements, and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

7.2. Requirements for the Person Who Applies Bulk Biosolids

7.2.1. Records On Biosolids Quality and Treatment

When bulk biosolids are applied to the land, the person who applies the biosolids must develop and maintain the information in the following table, as applicable, for five years or indefinitely.

<i>IF THESE STANDARDS OR REQUIREMENTS WERE MET:</i>	<i>KEEP THESE RECORDS:</i>
Pollutant ceiling concentrations in Table 1 (WAC 173-308-160) (but pollutant concentration limits in Table 3 were exceeded)	<ol style="list-style-type: none"> 1) The location, by street address if applicable, a copy of the assessor's plat map(s) with the application area(s) clearly shown or the latitude and longitude of the approximate center of each land application site, and the section, township, and range of each quarter section on which biosolids were applied. 2) The number of hectares in each site on which bulk biosolids were applied. 3) The date and time bulk biosolids were applied to each site. 4) The cumulative amount of each pollutant listed in Table 2 of WAC 173-308-160 in the bulk biosolids applied to each site. 5) The amount of biosolids applied to each site. <p>Keep these records indefinitely.</p>
Class B pathogen standards (WAC 173-308-170(3)(a),(b), or (c))	A description of how the site management and access restrictions in WAC 173-308-210(4)(a)(i-x), -220(4)(a)(i-ix), -230(4)(a)(i-ix), or -240(4)(a)(i-x), as applicable, were met for each site where biosolids were applied.
Vector attraction reduction requirements in WAC 173-308-210(3)(b)(i) or (ii), -220(3)(b)(i) or (ii), -230(3)(b)(i) or (ii), or -240(4)(b)(i) or (ii)	A description of how requirements were met.
Non-exceptional quality biosolids	A description of how the requirement to obtain information under WAC 173-308-160(2)(b) was met.

7.2.2. Certification Statements for the Person Who Applies Biosolids

- 1) If you apply bulk biosolids to the land, you must sign and keep the following certification statement:

"I certify, under penalty of law, that the requirement to obtain information under WAC 173-308-160(2)(b) has been met for each site on which bulk biosolids were applied. This determination was made under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the requirements to obtain information have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."

- 2) You must also sign and keep the following certification statements, as appropriate

- If the Class B pathogen standards in one of WAC 173-308-170(3)(a), (b), or (c) were met:

"I certify, under penalty of law, that the site management and access restrictions in [insert WAC 173-308-210(4)(a)(i) through (x), or WAC 173-308-220(4)(a)(i) through (x), or WAC 173-308-230(4)(a)(i) through (ix), or WAC 173-308-240(4)(a)(i) through (x), as applicable] have been met for each site on which bulk biosolids were applied. This determination was made under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the site management and access restrictions have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."

- If the vector attraction reduction requirements in WAC 173-308-210(3)(a)(i) or (ii), -220(3)(a)(i) or (ii), -230(3)(a)(i) or (ii), or -240(3)(a)(i) or (ii) were met:

"I certify, under penalty of law, that the vector attraction reduction requirement in [insert WAC 173-308-210(3)(a)(i), (WAC 173-308-210(3)(a)(ii), WAC 173-308-220(3)(a)(i), WAC 173-308-220(3)(a)(ii), WAC 173-308-230(3)(a)(i), WAC 173-308-230(3)(a)(ii), WAC 173-308-240(3)(a)(i), or WAC 173-308-240(3)(a)(ii), as applicable] has been met for each site on which biosolids were applied. This determination was made under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the vector attraction reduction and site management requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

- If the biosolids that were applied to the land did not meet standards to be classified as exceptional quality, and the site management restrictions in WAC 173-308-210(4)(b)(i-iii), -220(4)(b)(i-iii), -230(4)(b)(i-iii), or -240(4)(b)(i-iii) were met:

"I certify, under penalty of law, that the site management restrictions in [insert WAC 173-308-210(4)(b)(i) through (iii), or 173-308-220(4)(b)(i) through (iii), or WAC 173-308-230(4)(b)(i) through (iii), or WAC 173-308-240(4)(b)(i) through (iii), as applicable] were met for each site on which bulk biosolids were applied. This determination was made under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the site management restrictions have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."

8. Biosolids Monitoring Requirements

8.1. *Biosolids Monitoring and Keeping Records of Biosolids Monitoring*

- 1) You must monitor your biosolids according to the provisions of this permit and in accordance with your individual NPDES permit or State Waste Discharge Permit, as applicable.
- 2) The department may require you to submit for approval, a plan for monitoring the quality of biosolids that is more detailed or requires monitoring beyond the minimum monitoring requirements of Subsection 8.2 of this permit.
- 3) Samples and measurements taken for the purpose of monitoring must be **representative** of the monitored activity.
- 4) Records of monitoring information must include:
 - The date, place and time of sampling or measurements.
 - The individual(s) who performed the sampling or measurements.
 - The date(s) analyses were performed.
 - The individual(s) who performed the analyses.
 - The analytical techniques or methods used.
 - The results of the analyses.
- 5) Monitoring must be conducted according to test procedures specified in WAC 173-308-140 (or for nitrogen only, WDOE 99-508) unless other test procedures have been specified under this permit.

8.2. *Frequency of Biosolids Monitoring*

- 1) When you apply biosolids to the land or sell or give away biosolids for application to the land you must monitor your biosolids, *at a minimum*, at the frequency prescribed below in Table 8.1, but in no case less than once a year.
- 2) When you apply biosolids to the land you must monitor your biosolids for the following:
 - The pollutants listed in Tables 1, 2, and 3 of WAC 173-308-160 (also listed below in Tables 8.2, 8.3, and 8.4).
 - The pathogen density requirements in WAC 173-308-170.
 - The vector attraction reduction requirements in WAC 173-308-180.
 - The concentration of nitrogen to support agronomic rate determinations.
- 3) The frequency of monitoring in Table 8.1 is based on the dry weight tonnage of bulk biosolids applied to the land per 365-day period. For biosolids that are sold or given away for application to the land, the dry weight tonnage in Table 8.1 is the amount received by the person who prepares the biosolids.

- 4) After the biosolids have been monitored for two years at or above the frequency in Table 8.1, the person who prepares the biosolids may request the department to reduce the frequency of monitoring for pollutant concentrations and for pathogen density requirements. In no case shall the frequency of monitoring be less than once per year when biosolids are applied to the land. This provision applies to any monitoring requirement(s) included as an “additional and more stringent” condition issued by the department as part of final coverage under this permit unless the additional and more stringent condition specifically states that the monitoring requirement(s) may not be reduced.
- 5) The **point of compliance** for a sample is the date on which the sample is taken, not the date on which results are subsequently reported.
- 6) It is a violation of this permit to distribute biosolids which fail to meet appropriate criteria after a sample is taken, but before the results are returned.

8.3. Requirement for Analysis by an Accredited Laboratory

Within 6 months of the effective date of this permit, all required biosolids analyses must be performed by a laboratory which is accredited by the department for the respective analysis if an accreditation program exists for the respective analysis in the “Solids and Chemical Materials” category.

Table 8.1 – Minimum Frequency of Biosolids Monitoring

<i>DRY METRIC TONS (DRY U.S. TONS) PER 365 DAY PERIOD</i>	<i>FREQUENCY</i>
Greater than zero but less than 290 (320)	once per year
Equal to or greater than 290 (320) but less than 1,500 (1,653)	once per quarter (four times per year)
Equal to or greater than 1,500 (1,653) but less than 15,000 (16,535)	once per 60 days (six times per year)
Equal to or greater than 15,000 (16,535)	once per month (12 times per year)

Table 8.2 - Ceiling Concentrations (WAC 173-308-160, Table 1)

<i>POLLUTANT</i>	<i>CEILING CONCENTRATION *</i>
Arsenic	75
Cadmium	85
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7500

* Milligrams per kilogram - dry weight basis

Table 8.3 - Cumulative Pollutant Loading Rates (WAC 173-308-160, Table 2)

<i>POLLUTANT</i>	<i>CUMULATIVE POLLUTANT LOADING RATE*</i>
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Nickel	420
Selenium	100
Zinc	2800

* Kilograms per hectare - dry weight basis

Table 8.4 –Pollutant Concentrations (WAC 173-308-160, Table 3)

<i>POLLUTANT</i>	<i>LIMIT*</i>
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Nickel	420
Selenium	100
Zinc	2800

* Monthly average concentration in milligrams per kilogram - dry weight basis

9. Standard Permit Conditions Applicable to All Permittees

9.1. Complying With Permit Conditions

You must comply with all conditions of this permit.

9.2. Complying With Biosolids Standards

You must comply with all applicable requirements of Chapter 173-308 WAC.

9.3. Complying With Plans and Proposals

You must also comply with any provisions or proposals in your permit application, including but not limited to land application plans, sampling plans, contingency plans, and spill prevention/response plans, as proposed to the department, unless those provisions are modified through the permit review and final approval process.

9.4. Complying With Additional or More Stringent Requirements

You must comply with any additional or more stringent requirements developed as a condition of final approval of coverage for your facility under this permit.

9.5. Protecting Waters of the State and Agronomic Rate Requirement

- 1) You must apply biosolids to the land in a manner approved by the department, in accordance with Water Quality Standards for Ground Waters of the State of Washington, Chapter 173-200 WAC. You must apply biosolids to the land at, or below, agronomic rates except under Subsections 9.5.1 and 9.5.2 of this permit.
- 2) If you prepare exceptional quality biosolids for sale or giveaway, you must provide sufficient information for the recipient to determine an agronomic rate of application.
- 3) When required to prepare site specific land application plans and seasonal groundwater is three feet or less below the surface, you must provide a plan to protect groundwater at that site. The plan must be included in the site specific land application plan as described in Subsection 6.4 of this permit.
- 4) When the potential for ground water contamination due to biosolids application exists, the department may require ground water monitoring or other conditions in accordance with WAC 173-200-080. If it is determined that an enforcement criterion may be violated, an evaluation must be conducted to demonstrate compliance with the provisions of WAC 173-200-050(3)(b)(vi).

9.5.1. Exception to the Agronomic Rate Requirement – Reclamation Sites

You may apply biosolids to land reclamation sites in excess of agronomic rates if approved by the department in a site specific land application plan submitted in accordance with WAC 173-308-310(6) and Subsection 6.4 of this permit. Generally, for such proposals, the department will expect application rates to be designed in accordance with the guidelines in the following document: “*Managing Nitrogen from Biosolids*. WDOE 99-508.”

9.5.2. Exception to the Agronomic Rate Requirement - Research

You may apply biosolids to the land at greater than agronomic rates for the purposes of furthering legitimate research if approved by the department in a site specific land application plan submitted in accordance with WAC 173-308-310(6) and Subsection 6.4 of this permit. In addition, the land application plan for a research project must also include:

- A research proposal describing the nature of the project, what may be learned, the anticipated benefits, provision for progress reports and peer review, and interpretation of results.
- An explanation for the size of the research plot(s). Plot size must not exceed the minimum area required to support the goals of the research.

- A discussion of any potential adverse impacts of application rates in excess of agronomic rates, along with potential mitigation or response to adverse effects if observed.

9.6. Obtaining and Providing Information

- 1) If you apply bulk biosolids to the land, you must:
 - Obtain information needed to comply with the requirements of this permit.
 - Obtain written approval of the landowner prior to applying any non-exceptional quality biosolids to the land for the first time.
 - Provide information to the landowner or leaseholder needed to comply with this permit.
- 2) If you prepare biosolids, you must provide information needed to comply with this permit to any person who receives your biosolids.

9.7. Retaining Records

- 1) You must retain all records related to monitoring required by this permit for **a period of at least five years** from the date of sample or measurement, or analysis, **or longer** as required by this permit.
- 2) You must retain all records and data used to complete the application for this permit for **a period of at least five years** from the date of the application **or longer** as required by this permit. This period may be extended by request of the department at any time.

9.8. Transporting Biosolids

- 1) If you transport biosolids, you must ensure that the transportation vehicle is properly cleaned prior to use of the vehicle for the transportation of food crops, feed crops, or fiber crops.
- 2) You must notify the department of any biosolids spills that occur during transportation as soon as possible, but not more than three days after the spill occurs.

9.8.1. Spill Prevention/Response Plan Required

You must submit a spill prevention/response plan to the department with your permit application or at a later date, if agreed, which describes how you will attempt to prevent and how you will respond to any spillage of your biosolids. The plan must include a list of contact names and numbers, an explanation of how and when they should be contacted, what their role is, and how the spill would be cleaned up.

9.9. Storing Biosolids

- 1) You must store biosolids in accordance with provisions of this permit, including provisions in a land application plan approved as a condition of coverage under this general permit.
- 2) You must prevent biosolids from being stored in a manner that would be likely to result in the contamination of ground water or surface water, air, and/or land under current conditions or in the case of fire or flood.

- 3) Facilities storing liquid biosolids in surface impoundments or tanks must meet the requirements of WAC 173-304-430 and other applicable sections of Chapter 173-304 WAC, Minimum Functional Standards for Solid Waste Handling, that apply to the design, construction, and operation of surface impoundments.

9.10. Violation Penalties

The department, with the assistance of the attorney general, may bring action at law or in equity, including an action for injunctive relief, to enforce this permit.

9.10.1. Willful Violations

If you willfully violate any of the provisions of this permit, you are guilty of a gross misdemeanor. Willful violation of this permit or orders issued pursuant to Chapter 70.95J RCW is a gross misdemeanor punishable by a fine of up to **\$10,000 per day per violation** and costs of prosecution, or by imprisonment for up to one year, or by both.

9.10.2. Other Violations

If you violate this permit, you are subject to a penalty of up to **\$5,000 per day per violation**. In the case of a continuing violation, each day of violation is a separate violation. An act of commission or omission that procures, aids, or abets in the violation is considered a violation under this section.

9.11. Need to Halt or Reduce Activity Not a Defense.

It is not a defense for a permit holder in an enforcement action to argue that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

9.12. Mitigating Any Adverse Affects

You must take all reasonable steps to minimize or prevent biosolids use or disposal that may adversely affect human health or the environment.

9.13. Operating and Maintaining Facilities

You must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which you install or use to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that you install only when the operation is necessary to achieve compliance with the conditions of the permit.

9.14. Permit Actions

- 1) The department may modify, revoke and reissue, or terminate coverage under this permit for cause.
- 2) Permit conditions remain in effect even if you do either or both of the following:
 - File a request to modify, revoke and reissue, or terminate coverage under this permit.
 - Notify the department of planned changes or anticipated noncompliance.

9.15. Providing Information to the Department

- 1) You must furnish to the department any information that the department may request to determine the following:
 - Whether cause exists for modifying, revoking and reissuing, or terminating coverage under this permit.
 - Compliance with this permit.
- 2) You must also furnish to the department, upon request, copies of records you are required to keep.

9.16. Inspection and Entry

You must allow the department, an authorized representative of the department, or a U.S. Environmental Protection Agency representative, upon the presentation of credentials and other documents as may be required by law, to:

- Enter upon the premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.
- Have access to and copy, during normal business hours, any records that must be kept under the conditions of this permit.
- Inspect during normal business hours any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit.
- Sample or monitor during normal business hours, for the purposes of assuring permit compliance or as otherwise authorized by state law, Chapter 70.95J RCW and the Clean Water Act, any substances, parameters or practices at any location.

9.17. Monitoring and Records

You must monitor and report monitoring results as specified elsewhere in this permit and in accordance with your NPDES permit or State Waste Discharge Permit, if applicable.

9.18. Signatory Requirements

All applications, notices of intent, reports, or information submitted to the department must be signed and certified according to WAC 173-308-310(8) and as described in this subsection.

9.18.1. For Applications and Notices of Intent

9.18.1.1. For a Corporation

By a responsible corporate officer. For the purpose of this permit, a responsible corporate officer means:

- A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation.
- or**
- The manager of one or more manufacturing, production, or operating facilities employing more than two hundred fifty persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures

9.18.1.2. For a Partnership or Sole Proprietorship

By a general partner or the proprietor, respectively.

9.18.1.3. For a Municipality, State, Federal, or Other Public Agency

By either a principal executive officer or ranking elected official. For purposes of this permit, a principal executive officer of a federal agency includes:

- The chief executive officer of the agency.
- or**
- A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

9.18.2. For All Reports Required By Permits and Other Information Requested By the Department

By a person described in Subsection 9.18.1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- The authorization is made in writing by a person described in Subsection 9.18.1.
- The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.
- The written authorization is submitted to the department.

9.18.2.1. Changes to Authorization

If an authorization under Subsection 9.18.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Subsection 9.18.1 must be submitted to the department prior to or together with any reports, information, or applications to be signed by an authorized representative.

9.18.3. Certification Requirements

Any person signing a document under Subsections 9.18.1 or 9.18.2 of this permit, must make the following certification, unless a different certification is applicable under another related section of this permit:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

9.19. Notice Requirements

9.19.1. Planned Changes.

You must notify the department as soon as possible of any planned physical alterations or additions to the permitted facility. You must notify the department and any participating delegated LHJ of significant changes in your biosolids management practices.

9.19.2. Anticipated Noncompliance.

You must give advance notice to the department of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

9.19.3. Transfers.

This permit is not transferable to any person except as provided in WAC 173-308-310(20).

9.19.4. Other Noncompliance Reporting.

You must report all instances of noncompliance as soon as possible, but not more than five days, after becoming aware of the noncompliance, unless as a condition of your permit coverage or other administrative action you are required to report sooner.

9.19.5. Other Information.

Where you become aware that you failed to submit any relevant facts in a permit application or you submitted incorrect information in a permit application or in any report to the department, you must promptly submit such facts or information.

9.20. Modifying or Revoking and Reissuing Coverage Under This Permit

- 1) The department may modify or revoke and reissue this permit during its term to conform to the standards for biosolids management established under Chapter 173-308 WAC if:
 - A new standard for biosolids management is established under Chapter 173-308 WAC before the expiration of this permit.

and

 - That new standard is more stringent than the pollutant limits or management practices authorized in this permit, or that new standard controls a pollutant or practice not limited in this permit.

or

 - There is a need to assure compliance with Chapter 173-308 WAC.
- 2) Whether or not this permit has been modified or revoked and reissued, you must comply with applicable standards for biosolids management by the compliance deadline specified in Chapter 173-308 WAC.

9.20.1. Causes for Modifying Coverage Under This Permit

The department may modify coverage under this permit to conform to the standards for biosolids management established under Chapter 173-308 WAC if any of the following causes exist:

- 1) There are material and substantial alterations or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different from or absent in the existing permit.
- 2) The department has received new information that was not available at the time your facility was granted coverage under this permit.
- 3) New regulations have been promulgated or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.
- 4) The department determines good cause exists for modification of a compliance schedule, such as an Act of God, strike, flood, or materials shortage or other events over which the permit holder has little or no control and for which there is no reasonable available remedy. However, in no case may a compliance schedule be modified to extend beyond an applicable Clean Water Act statutory deadline.
- 5) When required by a permit condition to incorporate a general land application plan for beneficial use of biosolids, to revise an existing general land application plan, or to add a general land application plan.
- 6) Cause exists for termination under WAC 173-308-310(22) and the department determines that modifying the permit is appropriate.
- 7) The department has received notification of a proposed transfer of the permit.

9.20.2. Modifying Coverage Under This Permit

- 1) The department may determine whether cause for modifying your coverage under this permit exists upon receiving any information from sources including, but not limited to the following:
 - Inspection of a facility.
 - Receipt of information you submit as required in this permit.
 - Receipt of a request for modification or revocation and reissuance.
 - Review of the permit file.
- 2) If cause for modification exists, the department may modify conditions for coverage under this permit and request an updated application if necessary.
- 3) When conditions for coverage under this permit are modified, only the conditions subject to modification are reopened.
- 4) When coverage under this permit is modified, you must comply with the following for the reopened conditions:
 - The public notice requirements of WAC 173-308-310(11).
 - If required, the public hearing requirements of WAC 173-308-310(12).

9.20.3. Causes for Revoking and Reissuing Coverage Under This Permit

The department may modify or revoke and reissue your coverage under this permit, during the term of coverage, to conform to the standards for biosolids use established under WAC 173-308 if any of the following causes exist:

- Cause exists for termination under WAC 173-308-310(22) and the department determines that revoking and reissuing the permit is appropriate.
- The department has received notification of a proposed transfer of the permit.

9.20.4. Revoking and Reissuing Coverage Under This Permit

- 1) The department may determine whether cause for revoking and reissuing coverage under this permit exists upon receiving any information from sources including, but not limited to the following:
 - Inspection of a facility.
 - Receipt of information you submit as required in the permit.
 - Receipt of a request for modification or revocation and reissuance.
 - Review of the permit file.
- 2) If cause for revoking and reissuing exists, the department may revoke and reissue conditions for coverage under this permit and request an updated application if necessary.

- 3) If authorization for coverage under this general permit is revoked and reissued, the entire consideration of coverage under this general permit is reopened and subject to revision, and the coverage may be reissued for a new term.
- 4) When coverage under this permit is revoked and reissued, you must comply with the following for the reissued permit:
 - The public notice requirements of WAC 173-308-310(11).
 - If required, the public hearing requirements of WAC 173-308-310(12).

9.21. Duty to Reapply

If you wish to continue an activity regulated by this permit after the expiration date of this permit, you must submit a Notice of Intent at least 180 days in advance of its expiration and subsequently obtain coverage under a new general permit in accordance with the timelines outlined in Table 5.1 of this permit.

9.22. Renewal of Coverage

- 1) If you have made timely and sufficient application for the renewal of coverage under a general permit, your expiring permit remains in effect and enforceable until any of the following occur:
 - The application has been denied.
 - A replacement permit has been issued by the department.
 - The expired permit has been canceled by the department.
- 2) If you have been previously covered under this general permit, you are automatically covered under a new general permit issued by the department when you reapply in accordance with WAC 173-308-310(4)(i). This automatic coverage under a new permit is only applicable if no significant change in biosolids management practices will be effected under the new permit.
- 3) If you fail to submit a timely and sufficient Application for Coverage or Notice of Intent under a new general permit, your coverage under this general permit will cease on the expiration date of this permit.

9.23. Appeals

In accordance with RCW 43.21B.310, the terms and conditions of the general permit for biosolids management may be appealed only by filing an appeal with the Pollution Control Hearings Board, PO Box 40903, Olympia, WA 98504-0903, and by serving it upon the Department of Ecology before June 5, 2005. Additional or more stringent requirements imposed on specific facilities or application sites after receipt of a permit application by the department may be similarly appealed within 30 days of notice by the department. Appellants must identify the statewide general permit for biosolids management effective June 5, 2005, as the subject of their appeal, and if appropriate any plan or other element required under the permit if it is the subject of the appeal. The appeal must contain the following:

- Appellant's name and address.
- A clear, separate, and concise statement of every error alleged to have been committed.
- A clear and concise statement of facts upon which the requester relies to sustain her or his settlements of error.
- A statement setting forth the relief sought.

10. Special Permit Conditions for Bulk Biosolids Applied to Agricultural Land, Forest Land, a Public Contact Site, or a Land Reclamation Site

10.1. Agronomic Rate

Bulk biosolids applied to agricultural land, forest land, or a public contact site must be applied at agronomic rates, except as allowed in Subsection 9.5.2 of this permit. Biosolids applied to land reclamation sites may be applied in excess of agronomic rates only if approved by the department in accordance with Subsection 9.5.1 or 9.5.2 of this permit.

10.2. Pollutant Concentrations

- 1) Bulk biosolids applied to the land must meet the ceiling concentrations in Table 1 of WAC 173-308-160 (Table 8.2 of this permit).
- 2) In addition, bulk biosolids applied to the land must either:
 - Meet the pollutant concentration limits in Table 3 of WAC 173-308-160 (Table 8.4 of this permit).

or

 - Be applied at a rate that will not exceed the total cumulative loading rate for each pollutant in Table 2 of WAC 173-308-160 (Table 8.3 of this permit).

10.3. Pathogens

Bulk biosolids applied to the land must be either:

- Class A for pathogens (see WAC 173-308-170(2)(a) through (f)).
- or**
- Class B for pathogens (see WAC 173-308-170(3)(a) through (c)) **and** all site management and access restrictions in Subsection 10.5 of this permit, must be met.

10.4. Vector Attraction Reduction

Bulk biosolids applied to the land must either:

- Meet vector attraction reduction before application to the land according to one of the alternatives in WAC 173-308-180(2) through (7).
- or**
- Be managed to reduce vector attraction in the field by injection or incorporation as described in Subsection 10.4.1 or 10.4.2 of this permit.

10.4.1. Requirements If Using Injection to Meet the Vector Attraction Reduction Requirements

- 1) No significant amount of the biosolids are allowed on the surface of the land within one hour after the biosolids are injected.
- 2) When the biosolids are Class A for pathogens, the biosolids must be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

10.4.2. Requirements If Using Incorporation to Meet the Vector Attraction Reduction Requirements

- 1) Biosolids must be incorporated into the soil within six hours after application to the land.
- 2) When biosolids are Class A for pathogens, the biosolids must be applied to the land within eight hours after being discharged from the pathogen treatment process.

10.5. Site Management and Access Restrictions for Class B Biosolids

The site management and access restrictions in this section are applicable to biosolids that are Class B for pathogens when they are applied to the land.

10.5.1. Crop Harvest Waiting Periods

When bulk biosolids are applied to the land, harvest of crops and edible plants or portions thereof must be restricted according to the following waiting periods from time of application to time of harvest.

<i>HARVESTED PART OF PLANT COMES INTO CONTACT WITH BIOSOLIDS?</i>	<i>PART OF PLANT HARVESTED:</i>	<i>BIOSOLIDS REMAIN ON SOIL SURFACE:</i>	<i>WAITING PERIOD FROM BIOSOLIDS APPLICATION TO HARVEST:</i>
yes	leaf/fruit/grain	no time specified	14 months
yes	root	more than 120 days	20 months
yes	root	less than 120 days	38 months
no	leaf/fruit/grain	no time specified	30 days

not applicable	fiber/forage	no time specified	30 days
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10.5.2. Restrictions for Turf Production

Turf grown on land where biosolids are applied must not be harvested sooner than **one year after application** of the biosolids when the harvested turf is placed on either land with a high potential for public exposure or a lawn, unless otherwise specified by the department.

10.5.3. Restrictions for Livestock Grazing

Livestock must not be allowed to graze on land for **30 days after application** of biosolids.

10.5.4. Restrictions for Public Access

- 1) Public access to land with a **high potential** for public exposure must be restricted for **one year after application** of biosolids.
- 2) Public access to land with a **low potential** for public exposure must be restricted for **30 days after application** of biosolids.

10.5.5. Signs Posted for Access Restriction

- 1) Unless otherwise authorized in a site specific land application plan, signs must be posted around the application site at all significant points of access, and otherwise around the perimeter so that they can be noticed and read by a reasonably observant person.
- 2) Signs must contain at least the following information:
 - Name, address and phone number of the generator, and if different, the person who applies.
 - Name, address and phone number of the regulatory and permitting authority.
 - The material that is being applied (biosolids or a more detailed description).
 - A notice that access is restricted, and if desired, the date after which access is no longer restricted.
 - If applicable, a notice on limitations regarding the harvest of edible plants from the site.
- 3) No trespassing signs may be substituted for the above information with the consent of the department.

10.5.6. Buffers From Wells

Biosolids must not be applied to the land within **100 feet of a well**, unless authorized by an approved site specific land application plan.

10.6. Site Management Restrictions for Biosolids Not Meeting Exceptional Quality Standards (Due to Pollutants, Pathogens or Vector Attraction)

The site management restrictions in this section must be followed when bulk biosolids, which do not meet the exceptional quality standards, are applied to the land.

10.6.1. Protecting Surface Waters

Bulk biosolids must not be applied to land that is **10 meters or less** from surface waters of the state unless otherwise allowed by the department. In some cases, 10 meters may not be a sufficient buffer to surface water. The need for a different width of buffer will be evaluated on a case-by-case basis and established in site specific land application plans.

10.6.2. Protecting Surface Waters and Wetlands

Bulk biosolids must not be applied to the land so that they enter a wetland or waters of the state, unless approved as a special condition of this permit or another permit issued by the department or issued by U.S. EPA with the approval of the department.

10.6.3. Protecting Endangered Species

Bulk biosolids must not be applied to the land if they are likely to adversely affect a threatened or endangered species listed under WAC 232-12-011 or WAC 232-12-014 or its critical habitat.

10.7. Record Keeping

The person who prepares biosolids and the person who applies biosolids to the land must keep the records required in Section 7 of this permit.

10.8. Reporting

- 1) You must submit information for the preceding calendar year to the department by March 1 of each year if your facility is:
 - A Class I biosolids management facility.
 - A publicly owned treatment works with a design flow rate equal to or greater than 1 million gallons per day.

or

 - A publicly owned treatment works that serve 10,000 people or more.
- 2) You must submit the following:
 - All applicable information required under WAC 173-308-290(2),(3), and (4).
 - The information in WAC 173-308-290(4)(c)(i) through (iv) and WAC 173-308-290(4)(d) and (4)(d)(i), when 90 percent or more of any of the cumulative pollutant loading rates in Table 2 of WAC 173-308-160 (Table 8.3 of this permit) have been reached.

- Any additional information requested by the department in writing. Receipt of an annual report form is considered to be a written request for information from the department.
- 3) Any other facilities for which an annual report requirement is not specified here, must submit information as requested by the department in writing. Receipt of an annual report form is considered to be a written request for information by the department. Generally, all facilities are expected to submit an annual report.

11. Special Permit Conditions for Bulk Biosolids Applied to Lawns or Home Gardens

11.1. Requirement for Exceptional Quality Biosolids

All bulk biosolids and bulk products derived from biosolids that are applied to lawns or home gardens **must meet the requirements for exceptional quality biosolids**. Requirements for biosolids classified as exceptional quality are defined in Section 2 of this permit.

11.2. Record Keeping

The person who prepares biosolids and the person who applies bulk biosolids to lawns or home gardens must keep the records required in WAC 173-308-290. Record keeping requirements are also listed in Section 7 of this permit.

11.3. Reporting

- 1) You must submit information for the preceding calendar year to the department **by March 1** of each year if your facility is:
- A Class I biosolids management facility.
 - A publicly owned treatment works with a design flow rate equal to or greater than 1 million gallons per day.
 - A publicly owned treatment works that serve 10,000 people or more.
- 2) You must submit the following:
- All applicable information required under WAC 173-308-290(2), (3), and (4).
 - Any additional information requested by the department in writing. Receipt of an annual report form is considered to be a written request for information from the department.
- 3) Any other applicable facilities that are not required to submit an annual report, must submit information as requested by the department in writing. Receipt of an annual report form is considered to be a written request for information by the department. Generally, all facilities are expected to submit an annual report.

12. Special Permit Conditions for Biosolids Sold or Given Away in Bags or Other Containers

All biosolids or products derived from biosolids that are sold or given away in bags or other containers **must meet the requirements for exceptional quality biosolids**. Requirements for biosolids classified as exceptional quality are defined in Section 2 of this permit.

12.1. Labeling Requirements

Biosolids that are sold or given away in bags or other containers must have a label or accompanying information sheet. This requirement applies to biosolids products prepared or derived from biosolids that do not meet exceptional quality standards. The label or information sheet must contain the following information:

- 1) The name, address, and phone number of the person who prepared the biosolids.
- 2) A statement or information indicating that:
 - The product complies with applicable regulations for biosolids.
 - or**
 - The product has been prepared to meet standards that make it safe for its intended use when used in accordance with the directions provided by the manufacturer.
- 3) A statement or information that encourages proper use of the product and protection of public health and the environment. This may include information on agronomic rates, product storage, hygiene, and protection of surface or ground water resources.
- 4) Agronomic rates for typical applications or guidance on how to determine the agronomic rate of application.
- 5) A statement or information indicating that the product contains or is derived from biosolids.
- 6) Any additional information needed to facilitate safe use of the product.

12.2. Record Keeping

The person who prepares the biosolids before they are sold or given away in a bag or other container for application to the land must keep the records required in WAC 173-308-290. Record keeping requirements are also listed in this permit in Section 7.

12.3. Reporting

- 1) You must submit information for the preceding calendar year to the department by March 1 of each year if your facility is:
 - A Class I biosolids management facility.
 - A publicly owned treatment works with a design flow rate equal to or greater than 1 million gallons per day.

- A publicly owned treatment works that serve 10,000 people or more.
- 2) You must submit the following:
- All applicable information required under WAC 173-308-290(2), and (5).
 - Any additional information requested by the department in writing. Receipt of an annual report form is considered to be a written request for information from the department.

- 3) Any other applicable facilities that are not required to submit an annual report, must submit information as requested by the department in writing. Receipt of an annual report form is considered to be a written request for information by the department. Generally, all facilities are expected to submit an annual report.

13. Special Permit Conditions for Domestic Septage Management

- 1) Domestic septage applied to the land must either be managed in accordance with the provisions described in this section, or it must be managed as biosolids originating from municipal sewage sludge. When domestic septage is managed as biosolids originating from municipal sewage sludge, the material must meet all the quality and site management requirements (including application rate determinations) applicable to the particular classification of biosolids into which it falls.
- 2) Domestic septage may only be applied to non-public contact sites (agricultural land, forests, and reclamation sites).
- 3) Domestic septage may not be applied to a public contact site, a lawn, turf that may be used on a public contact site or lawn, or a home garden.

13.1. Domestic Septage Defined¹⁰

Domestic septage must be classified as Class I, Class II, or Class III septage before application to the land.

Please note that wastes from sump or other storage tanks such as those installed at car washes, parking lots, auto shops, breweries, wineries, packing houses or wastes from similar-type storage systems at similar-type facilities are not septage and cannot be mixed with septage or otherwise be managed as part of your septage management program. Such wastes are considered to be industrial wastes that may require management as a solid waste, or, in some instances, as a hazardous waste. If you manage or expect to manage such non-septage waste, you must first contact your local health department to find out what requirements may exist for management of the material. You may also wish to contact the Department of Ecology's Hazardous Waste and Toxics Reduction Program.

13.2. Screening Requirement

Domestic septage that is applied to the land must be treated by a process such as physical screening or grinding or another approved method must be employed to significantly remove or reduce recognizable materials when septage is applied to the land.

¹⁰ Please see the definitions of the three classes of septage in Section 2 of this permit.

13.3. Special Requirements for Domestic Septage Class I and Class III

- 1) When domestic septage Class I or III is applied to the land, unless it is alkaline stabilized in accordance with the provisions described in Subsection 13.6, below, it must meet the injection or incorporation requirements described in Subsection 13.5, below. In addition, management must be done in accordance with the provisions of the remainder of this section.
- 2) If you seek to manage domestic septage Class III, you must first obtain a designation from the department that the material is “domestic in quality” and that it is allowed to be managed in accordance with the provisions of this permit.

13.4. Special Requirements for Domestic Septage Class II

When domestic septage Class II is applied to the land, it must be alkaline stabilized in accordance with the provisions in Subsection 13.6, below. In addition, management must be done in accordance with the provisions of the remainder of this section.

13.5. Injection or Incorporation Requirement

Domestic septage land applied without additional treatment must be either:

- Surface injected immediately such that no significant amount of the septage is allowed on the surface of the land within one hour after the septage is injected
- or**
- Incorporated into the soil within 6 hours.

13.6. Alkaline Stabilization Requirement

- 1) While the use of other alkali materials is allowed, alkaline stabilization is typically performed by adding a form of lime (e.g. hydrated lime or quicklime) to septage. Frequently, this is done while the septage is in the pumper truck, however that is not a requirement. Minimally, the following requirements must be met:
 - Septage treated with alkaline material such as hydrated lime or quicklime must remain at **pH 12 or higher for at least 30 minutes without the addition of more alkali** prior to being land applied.
 - **Each container of septage must be tested** for pH after addition of alkali to ensure maintenance of pH 12 or higher for at least 30 minutes prior to land application. Thus, testing must occur twice at a minimum: a) once after alkali addition and verification that a pH of 12 or higher has been achieved, and b) at least 30 minutes following the initial testing to assure that a pH of 12 or higher has been maintained without the addition of more alkali.
 - Samples of septage which are collected and analyzed must be **representative** of the material which is applied to the land.
- 2) Typically “spent” lime, such as that acquired from fruit packing sheds, **is not an appropriate alkali material** for meeting the alkaline stabilization requirements of this subsection.

- 3) You are encouraged to consult U.S. EPA document, “Domestic Septage Regulatory Guidance” (EPA 832-B-92-005, September 1993) for guidance on performing alkaline stabilization; this document is listed in Subsection 3.10(6) of this permit.

13.7. Crop Harvesting and Animal Grazing Restrictions

All crop harvesting and animal grazing must be restricted according to the following table:

<i>DOES THE HARVESTED PART OF PLANT COME INTO CONTACT WITH SOIL/ SEPTAGE MIX?</i>	<i>WHAT PART OF THE PLANT IS HARVESTED?</i>	<i>LENGTH OF TIME SEPTAGE REMAINS ON SOIL SURFACE:</i>	<i>WAITING PERIOD FROM SEPTAGE APPLICATION TO HARVEST (OR GRAZING):</i>
yes	pasture or range (grazing)	no time specified	30 days
yes	leaf/fruit/grain	no time specified	14 months
yes	root	more than 120 days	20 months
yes	root	less than 120 days	38 months
no	leaf/fruit/grain	no time specified	30 days
not applicable	fiber/forage	no time specified	30 days

13.8. Public Access and Requirement for Signs

- 1) Public access to land with a **high potential** for public exposure must be restricted for **one year after the application** of septage.
- 2) Public access to land with a **low potential** for public exposure must be restricted for **30 days after the application** of septage.
- 3) Unless otherwise authorized in a site specific land application plan, during the time when access is restricted, you must post signs around the application site at all significant points of access, and otherwise around the perimeter so that they can be noticed and read by a reasonably observant person. The signs must contain at least the following information:
 - The name and address or phone number of the generator and if different, the applier.
 - The names, addresses, and phone numbers of the regulatory and permitting authority.
 - The material which is being applied (i.e. septage).
 - A notice that access is restricted, and if desired, the date after which access is no longer restricted.
 - If applicable, a notice on limitations regarding the harvest of edible plants from the site.
- 4) With the consent of the department, “no trespassing” signs may be substituted for the informational signs.

13.9. Site Management Restrictions

The following site management restrictions must be followed whenever septage is applied to the land:

- Septage must not be applied to land that is **100 feet or less from surface waters of the state** unless otherwise specified by the department.
- Septage must not be applied to the land so that it **enters a wetland or waters of the state**, unless approved as a special condition under this permit or another permit issued by the department, or issued by U.S. EPA with the approval of the department.
- Septage must not be applied to the land if it is likely to **adversely affect a threatened or endangered species** listed under WAC 232-12-011 or WAC 232-12-014 or its critical habitat.

13.10. Buffers From Wells

Septage must not be applied to the land within **100 feet of a well**, unless authorized by an approved site specific land application plan.

13.11. Application Rates

The application rate for domestic septage must be determined by Equation 13.1, below. Equation 13.1 can be amended for facilities that manage a dewatered domestic septage product. In such cases, please review the approach for calculating the dewatered domestic septage application rate described in the guidance document, “*Domestic Septage Regulatory Guidance*”; this document is listed in Subsection 3.10(6).

Equation 13.1 – Septage Application Rates

$$AAR = N \div 0.0026$$

where:

AAR = Annual application rate in gallons per acre per 365 day period.

N = Amount of nitrogen in pounds per acre per 365 day period needed by the crop or vegetation.

13.12. Monitoring Requirements

You must monitor every load of septage that has undergone alkaline stabilization in accordance with Subsection 13.6 of this permit.

13.13.Record Keeping and Certification Statements

13.13.1.Records

The person who applies domestic septage must develop and maintain the following information, as applicable, for five years:

- The location, by street address if applicable, a copy of the assessor's plat map(s) with the application area(s) clearly shown or the latitude and longitude of the approximate center of each land application site, and the section, township and range of each quarter section on which septage is applied.
- The number of acres in each site on which septage is applied.
- The date and time septage is applied to each site.
- The nitrogen requirement for the vegetation grown on each site during a 365-day period.
- The rate, in gallons per acre per 365 day period, at which septage is applied to each site and the total number of gallons of septage applied to each site.
- The source of the septage, including the name and address of the individual or business where the septage was generated. In the case of a centralized septage treatment facility, the name of the person or business who delivered the septage, the dates of delivery, and how much septage was delivered.
- The class of septage as defined in WAC 173-308-080 (Section 2 of this permit).
- A description of how the pathogen requirements in either WAC 173-308-270(3)(a) or(b) were met (Subsection 13.5 or Subsection 13.6, respectively, of this permit).
- A description of how the vector attraction reduction requirements in one of WAC 173-308-270(4)(a), (b), or (c) were met (Subsection 13.5 or Subsection 13.6, respectively, of this permit).
- A description of how the applicable site management and access restriction requirements in WAC 173-308-270(5) were met (Subsections 13.7-13.10 of this permit).

13.13.2.Certification Statement

The person who applies domestic septage to the land must sign and keep the following certification statement:

"I certify, under penalty of law, that the pathogen requirements in [insert either WAC 173-308-270(3)(a) or (b)], the vector attraction reduction requirements in [insert one of WAC 173-308-270(4)(a), (b), or (c)], and the applicable site management and access restriction requirements in WAC 173-308-270(5) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the pathogen and vector attraction reduction requirements and site management and access restrictions have been met. I am aware that there are significant penalties for false certification including the possibility of fine and
--

imprisonment."

13.14.Reporting

- 1) If you apply domestic septage to the land, you must report to the department **by March 1 of each year** the following information for the preceding calendar year:
 - The number of gallons of septage applied to land.
 - The number of acres of land to which septage was applied.
- 2) You must also submit part or all of any applicable information in WAC 173-308-290(6) as required by a written request from the department. Receipt of an annual report form is considered to be a written request for information by the department.

14. Special Permit Conditions for Disposal of Municipal Sewage Sludge or Biosolids in a Municipal Solid Waste Landfill On a Long Term Basis

Any person wishing to adopt disposal of municipal sewage sludge or biosolids in a municipal solid waste landfill as a long term management option must do all of the following:

- Demonstrate to the satisfaction of the department that other options for disposal or beneficial use are economically infeasible. At a minimum this determination must be made once every five years, or at the time of permit renewal or modification, whichever is more frequent.
- Provide the department with written approval for disposal from the LHM in the receiving jurisdiction.
- Ensure that the receiving landfill complies with the requirements of WAC 173-351, Criteria for Municipal Solid Waste Landfills and 40 CFR Part 258.
- Ensure that the municipal sewage sludge which is disposed of in a municipal solid waste landfill meet the liquids in landfills requirements of WAC 173-351-200(9).
- Ensure that the municipal sewage sludge, which is disposed of in a municipal solid waste landfill, is not hazardous waste as defined in WAC 173-303.

15. Supplemental Conditions

- 1) The department may impose additional or more stringent requirements relating to the management of biosolids if any of the following conditions exist:
 - The department believes that such requirements are necessary to protect public health and the environment from any adverse effect of a pollutant in the biosolids.
 - The department believes that such requirements are necessary to protect public health and the environment from poor biosolids management practices.
 - The department believes such requirements are necessary to ensure compliance with any of the requirements of this permit or Chapter 173-308 WAC.
- 2) These additional requirements will be in the form of supplemental conditions to coverage under this general permit or approval of a land application plan. All supplemental conditions will be provided in writing and appended with the department's notice of approval of coverage under this general permit or with a notice of approval of a land application plan. Additional requirements may be appealed as described in Subsection 9.23 of this permit. **All supplemental conditions become a part of the permit and are fully enforceable.**

15.1. Compliance Schedules

Under this permit, a schedule may be established leading to compliance with requirements of this permit and Chapter 173-308 WAC. A compliance schedule may not extend deadlines established under the Federal Clean Water Act or Chapter 70.95J RCW. Compliance schedules must be established to meet the requirements of WAC 173-308-310(15).

16. Permit Fees

If you are required to obtain coverage under this permit, you must pay an annual biosolids permit fee to the department.

16.1. Basis of Permit Fees

Permit fees are based on the number of residences or residential equivalents contributing to your biosolids management system and are assessed and collected in accordance with the provisions of WAC 173-308-320, except as follows:

- The permit fee for a beneficial use facility under this permit is limited to \$2,500.00 per year, regardless of the residential equivalent value determined for the facility.
- The permit fee for municipalities that operate incinerators applicable under this permit is the amount calculated under WAC 173-308-320 or \$500.00 per year, whichever is less.

16.2. Due Dates for Permit Fees

The department assesses biosolids permit fees on an annual basis for the fiscal year, July 1 through June 30 unless otherwise determined. The permit fees apply regardless of the date of your coverage under this permit. Due dates for permit fees are as follows:

- You must pay biosolids permit fees within forty-five days after the department mails a billing statement.
- Receiving-only facilities, centralized septage facilities, and persons who apply septage to the land may submit periodic payments based on their actual level of service in accordance with WAC 173-308-320(3)(c).

16.3. Failure to Pay Permit Fees

If you fail to pay a permit fee, the department may deny coverage under this permit or revoke existing coverage under this permit. Fees are considered delinquent if they are not received by the first invoice billing due date. You will be notified by certified letter and have 30 days to bring your account up-to-date before further action is taken by the department.

Appendix 1 – Required Public Notice Content

- 1) The name, address, and location of the facility seeking the permit and a contact person.
- 2) The address of the LHJ and a contact person for any county where the LHJ has accepted delegation of responsibility under WAC 173-308-050.
- 3) The address of the regional or headquarters office of the Department of Ecology that has lead responsibility for the permit, and a contact person.
- 4) A brief statement of the biosolids management practices for which coverage under this permit is sought.
- 5) The name of this permit, “General Permit for Biosolids Management”.
- 6) The statement: "Any person wishing to comment on this application or desiring to present their views regarding this application to the Department of Ecology or its delegated representative must do so in writing within 30 days of the last date of newspaper publication of this notice. Comments should be addressed to (insert the name and address of the contact person in the regional office or headquarters of the Department of Ecology that has lead responsibility for the permit)."
- 7) A statement specifying whether or not the permit application contains any information about current or proposed biosolids application sites.
- 8) A statement specifying whether or not the permit application contains a plan specifying how future application sites will be identified.
- 9) A statement specifying whether biosolids will be provided to any other facility, including a beneficial use facility.
- 10) A statement specifying how the public will be notified regarding the selection of future land application sites.
- 11) The time and place of any public hearing or meeting that will be held or the procedures to request a hearing or meeting, and other procedures by which the public may participate in the final permit decision.
- 12) The means by which an interested person or organization may have their name placed on a list to be maintained by you for the purpose of future notification of biosolids management activities.
- 13) Any additional information considered necessary or proper.

Appendix 2 – Required Site Specific Land Application Plan Content

- 1) Whether or not it is known or can be determined that biosolids containing pollutants in excess of the values in WAC 173-308-160, Table 3 (Table 8.4 of this permit) have ever been applied to the site, and if so:
 - The date(s) when the biosolids were applied (if known).
 - The amount of biosolids applied (if known).
 - The concentration of pollutants in the biosolids (if known).
 - The area(s) of the site to which biosolids were applied (if known).
- 2) A discussion of the types of crops grown or expected to be grown, their intended end use (e.g. pasture grass for a feed crop, corn as a food crop), and the current distribution of crops on the site.
- 3) An explanation of how agronomic rates will be determined during the life of the site along with any currently available calculations. Whenever agronomic rates are determined or conditions change (i.e. a change in crops or agronomic rates) an update of the agronomic rate calculations must be filed with the department.
- 4) Method(s) of application.
- 5) Seasonal and daily timing of biosolids applications.
- 6) Any available data from soils, surface water, or ground water monitoring collected from the site within the last two years, and any proposed new monitoring or continuation of monitoring programs.
- 7) The name of the county and water resource inventory area where biosolids will be applied.
- 8) A description of how biosolids will be stored at the site and also addressing related off-site storage.
- 9) Site map(s) showing:
 - The means of access to the facility and location by street address if applicable; a copy of the assessor's plat map(s) with the application area(s) clearly shown or the latitude and longitude of the approximate center of each land application site, and other means of identifying the location as appropriate and available.
 - The number of acres in the site.
 - Location and extent of any wetlands on the site.
 - A topographic relief of the application site and surrounding area.
 - Adjacent properties and uses and their zoning classification.
 - Any seasonal surface water bodies located on the site or perennial surface water bodies within 1/4 mile of the site.
 - The location of any wells within 1/4 mile of the site that are listed in public records or otherwise known to you, whether for domestic, irrigation, or other purposes.
 - The width of buffer zones to surface waters, property boundaries and other features requiring buffers.
 - The presence and extent of any threatened or endangered species or related critical habitat.
 - The location of any critical areas on site, as required to be identified under Chapter 36.70A RCW in the county's growth management plan.
 - Any portion of the site that falls within a wellhead protection area.
 - Any portion of the site that falls within an area included under a local Shoreline Master Program.
 - The location and size of any areas which will be used to store biosolids.
- 10) If the seasonal groundwater is three feet or less below the surface, a management plan describing how you will protect groundwater. For example, your plan may limit applications to the time of year when groundwater has receded to less than three feet below the surface.
- 11) A description of how access to the site will be restricted (i.e. signs posted around the site or other approved method of access restriction).
- 12) Written approval from the landowner allowing the land application of non-exceptional quality biosolids.

Appendix 3 – Required General Land Application Plan Content

- 1) Describe the geographical area covered by the plan, including the names of all counties and water resource inventory areas where biosolids will be applied.
- 2) Identify site selection criteria.
- 3) Describe how sites will be managed.
- 4) Describe how you will provide for advance notice to the department or LHJ of new or expanded land application sites. The advance notice must be at least 30 days, to allow time for the department (or health jurisdiction) to object prior to the biosolids applications.
- 5) Describe how you will provide for advance public notice as specified in WAC 173-308-310(11).